



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> September 16, 2005 <b>LOCAL EFFECTIVE DATE</b> September 30, 2005 <b>APPROX FINAL EFFECTIVE DATE</b> October 21, 2005	<b>CONTACT/PHONE</b> Valerie Tallerico 781-5136	<b>APPLICANT</b> Robert and Kathy Unger	<b>FILE NO.</b> DRC2004-00248
<b>SUBJECT</b> Request by Robert and Kathy Unger for a Minor Use Permit/ Coastal Development Permit to allow a remodel and addition of 778 square feet to an existing single-family residence and an approximately 135 square foot swimming pool. The project includes a new den, entryway, bathroom, and deck space. The project will result in the disturbance of approximately 1,050 square feet of a 46,638 square foot parcel. The proposed project is within the residential single-family land use category and is located on 6555 Buckley Road in the community of Cambria. The site is in the North Coast planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit/Coastal Development Permit DRC2004-00248 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 3 Categorical Exemption was issued on July 25, 2005 (ED 05-036)			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Local Coastal Plan Area, Sensitive Resource Area, Terrestrial Habitat, Archeologically Sensitive	<b>ASSESSOR PARCEL NUMBER</b> 013-331-015	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Height Limitations, Setbacks <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Local Coastal Plan Area, Sensitive Resource Area, Terrestrial Habitat, Archeologically Sensitive <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ Fax: (805) 781-1242</small>			

EXISTING USES: Single Family Residence.	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential <i>East:</i> Residential <i>South:</i> Residential <i>West:</i> Residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Service District-Fire, Cambria Community Service District, and Coastal Commission.	
TOPOGRAPHY: Level to gently rolling	VEGETATION: Property contains Monterey Pines and Coastal Live Oaks
PROPOSED SERVICES: Water supply: Cambria Community Service District Sewage Disposal: Individual septic system Fire Protection: Cambria Fire Department	ACCEPTANCE DATE: July 25, 2005

## DISCUSSION

### PLANNING AREA STANDARDS:

Height Limitations: The maximum height for all single-family structures is 28 feet. The proposed height of the structures is 21' 6". *As proposed this project meets this standard.*

Setbacks: The minimum setbacks are as follows: front-10 feet, side-3 feet, rear-5 feet. The side corner setback needs to be 25'. *As proposed the project meets these standards.*

### LAND USE ORDINANCE STANDARDS:

Local Coastal Plan Area: The project site is located in the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the local coastal plan.

Terrestrial Habitat: The property contains Coastal Live Oaks and Monterey Pines. No tree removal is proposed with this project.

Archeologically Sensitive: C.A. Singer and Associates conducted an archaeological surface study on April 27, 2001 for the parcel. No indications of prehistoric or historic resources were noted. The survey found that development of the property will have no direct impact on either known or suspected cultural or historic resources and no additional investigation is recommended.

### COASTAL PLAN POLICIES:

Shoreline Access: ☒ N/A

Recreation and Visitor Serving: ☒ N/A

Energy and Industrial Development: ☒ N/A

Commercial Fishing, Recreational Boating and Port Facilities: ☒ N/A

Environmentally Sensitive Habitats:

*Policy 1:* The project will not create significant adverse effects on the natural features of the site and will preserve and project the features through site design.

*Policy 2:* Natural features have been considered in the design and siting of all proposed improvements.

Agriculture: ☒ N/A

Public Works:

*Policy 1:* Availability of Service Capacity applies to the project. The applicant has demonstrated that adequate public service capacities are available to serve the proposed project by submitting water will-serve letters.

Coastal Watersheds: ☒ N/A

Visual and Scenic Resources: ☒ N/A

Hazards: ☒ N/A

Archeology:

*Policy 4:* Preliminary Site Survey for Development within Archaeologically Sensitive Areas applies to the project. The Preliminary Site Survey conducted for the parcel by C.A. Singer and Associates on April 27, 2001 found that no potentially significant cultural resources are present on the parcel.

Air Quality: ☒ N/A

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: North Coast Advisory Council: No response as of August 5, 2005

**AGENCY REVIEW:**

Public Works- Recommend approval

Cambria Community Services District-Water and Sewer- Plans do not clearly indicate number of new water fixtures. Applicant has not come to CSD for the project. Need will-serve letter.

Cambria Community Services District-Fire – no comment.

California Coastal Commission – no comment

**LEGAL LOT STATUS:**

The 1 lot were legally created by a recorded map at a time when that was a legal method of creating lots.

## EXHIBIT A - FINDINGS

### *CEQA Exemption*

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is a minor addition to an existing single-family structure.

### *Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on, a road constructed to a level able to handle any additional traffic associated with the project.

### *Coastal Access*

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

### *Sensitive Resource Area*

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the project is designed around the trees.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements.

*Archeological Sensitive Area*

- J. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because no resources were found during a preliminary site survey.

## **EXHIBIT B - CONDITIONS OF APPROVAL**

*These are a bare bones starting point*

### **Approved Development**

1. This approval authorizes
  - a. Request by Robert and Kathy Unger for a Minor Use Permit/ Coastal Development Permit to allow a remodel and addition of 778 square feet to an existing single-family residence and an approximately 135 square foot swimming pool. The project includes a new den, entryway, bathroom, and deck space.
  - b. maximum height is 21' 6" from average natural grade.

### **Conditions required to be completed at the time of application for construction permits**

#### ***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

#### ***Fire Safety***

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

#### ***Services***

5. **At the time of application for construction permits**, the applicant shall provide a letter from Cambria Community Service District stating they are willing and able to service the property.

### **Conditions to be completed prior to issuance of a construction permit**

#### ***Fees***

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

### **Conditions to be completed during project construction**

***Building Height***

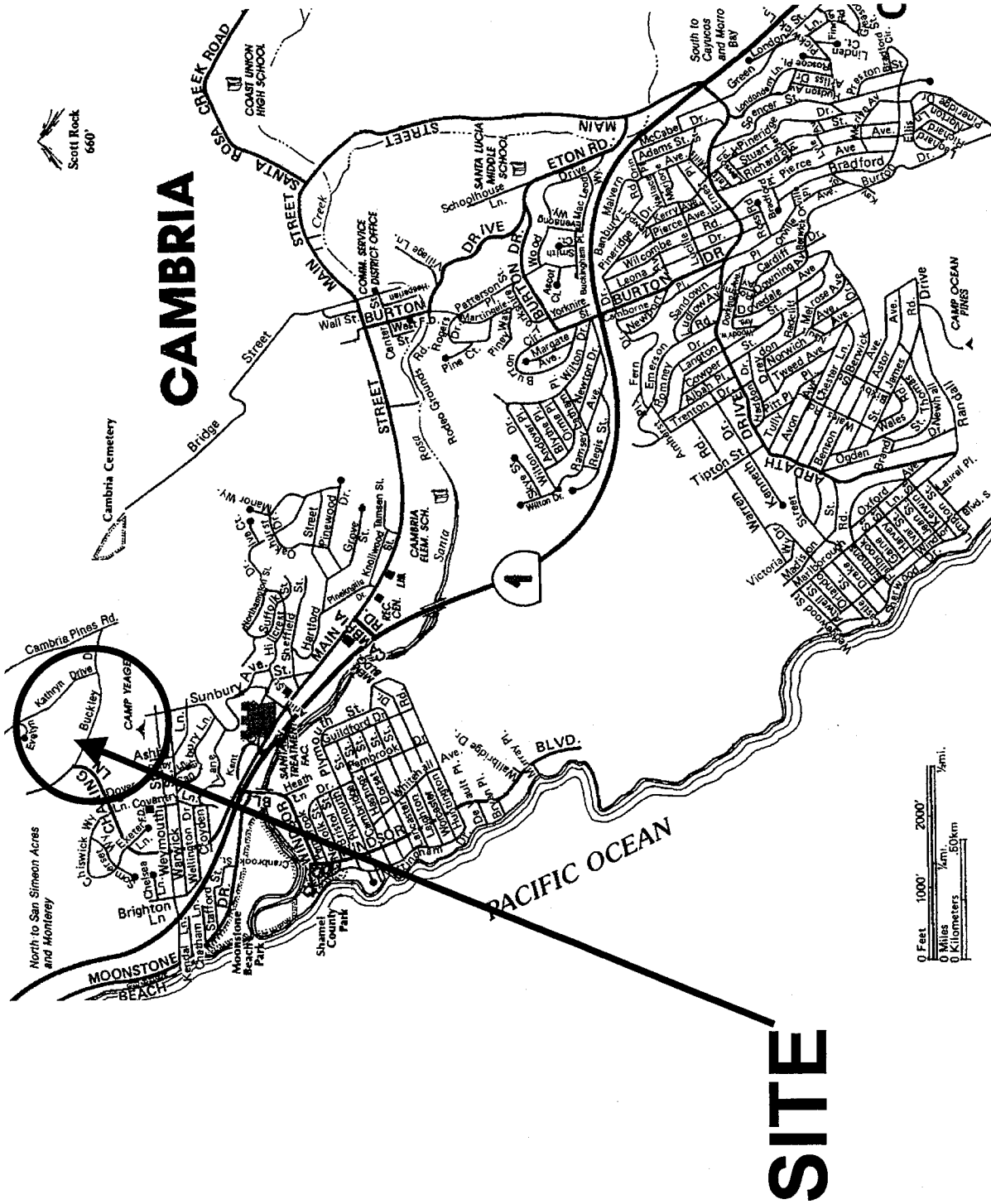
8. The maximum height of the project is 21' 6" feet from average natural grade.
- a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
  - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
  - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

9. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
10. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

11. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
12. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.



PROJECT

Minor Use Permit  
Unger DRC2004-00248

EXHIBIT

Vicinity Map



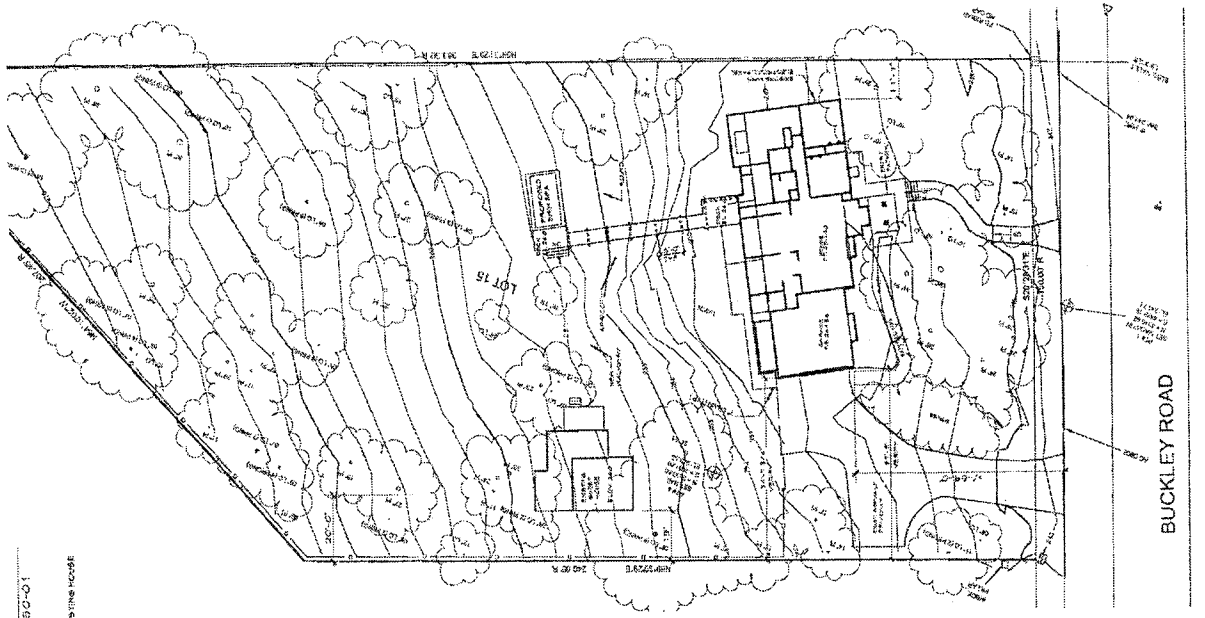




Minor Use Permit  
Unger DRC2004-00248



Land Use Category



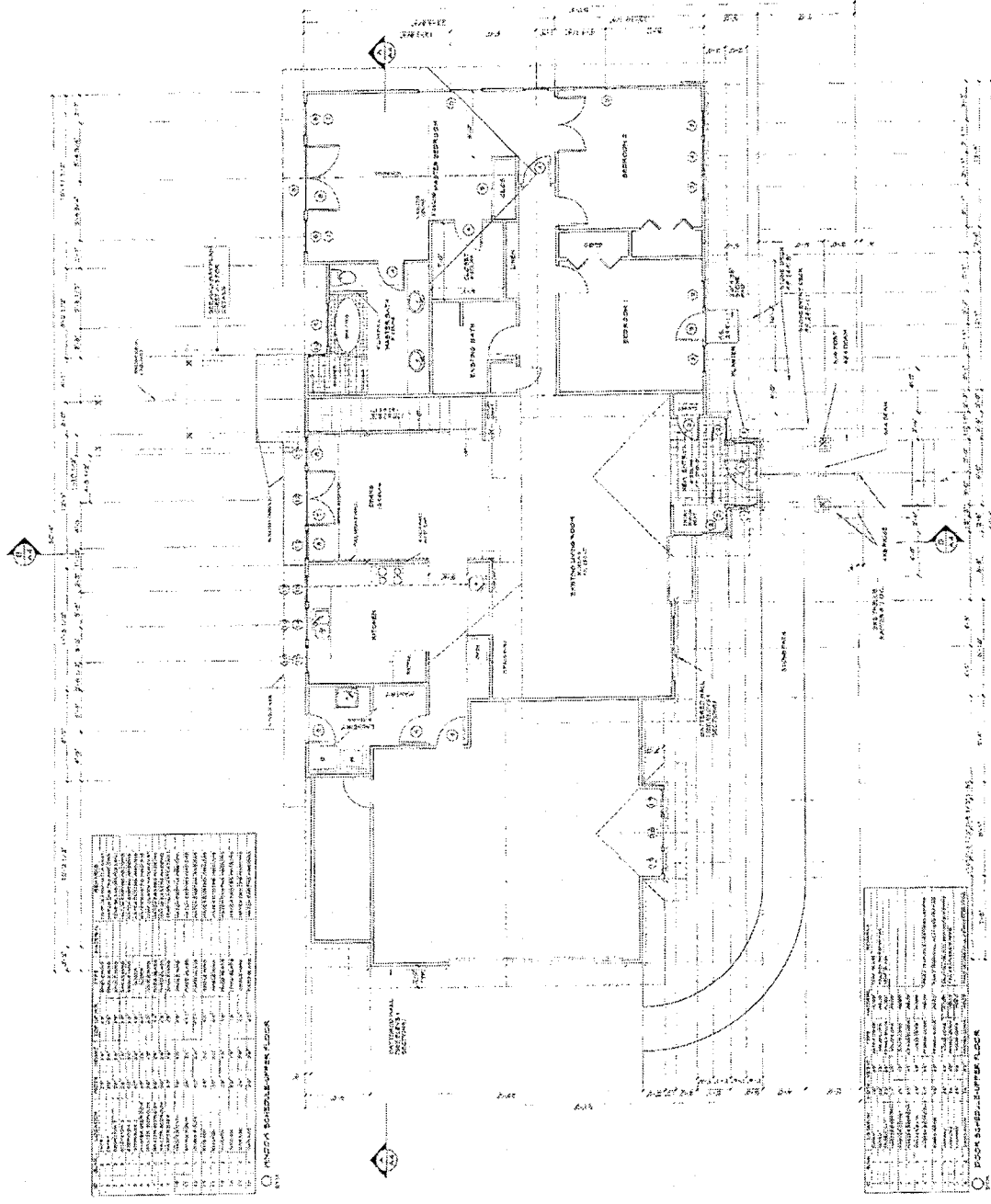
EXHIBIT

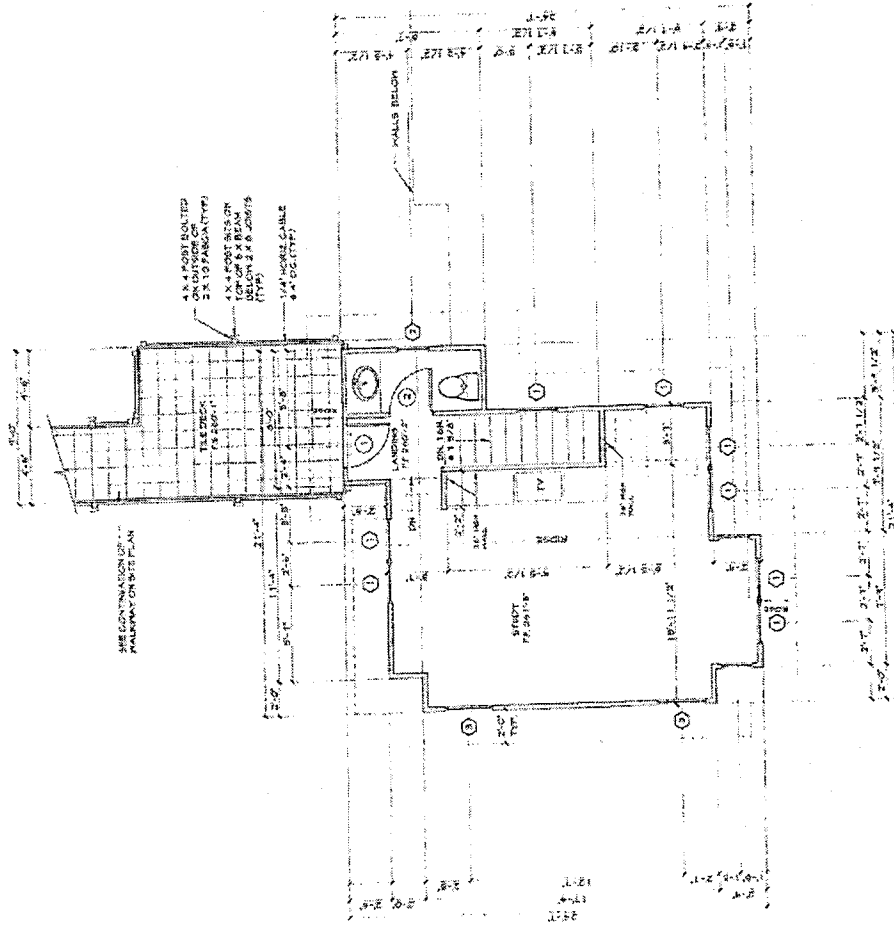
Site Plan



PROJECT

Minor Use Permit  
Unger DRC2004-00248





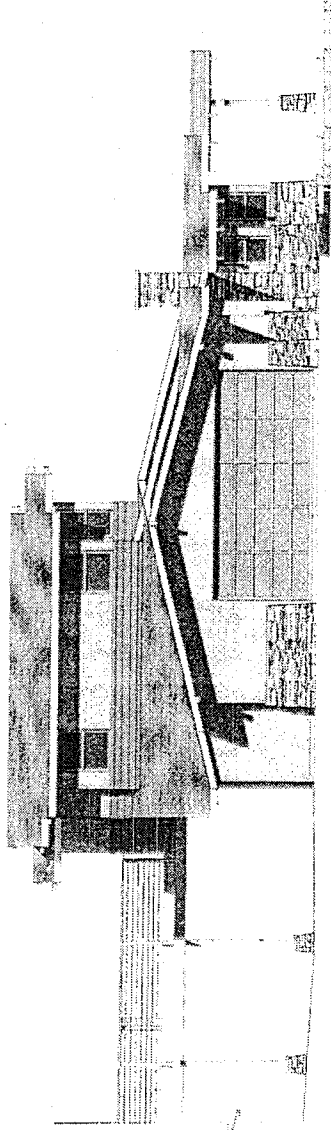
PROJECT

Minor Use Permit  
Unger DRC2004-00248

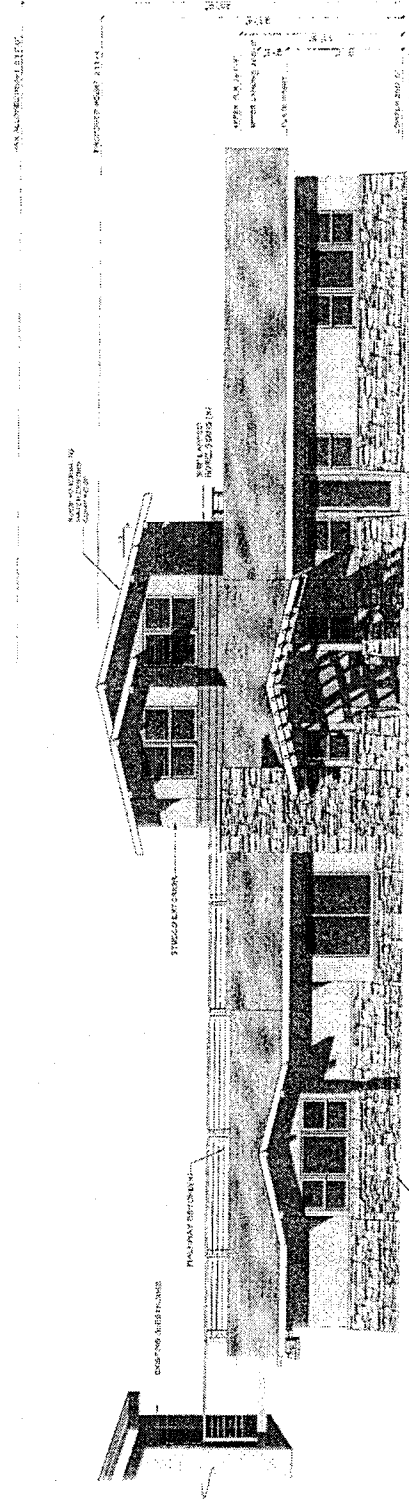
EXHIBIT

Upper Floor Plan





NORTH ELEVATION  
SCALE 1/4"



WEST ELEVATION  
SCALE 1/4"

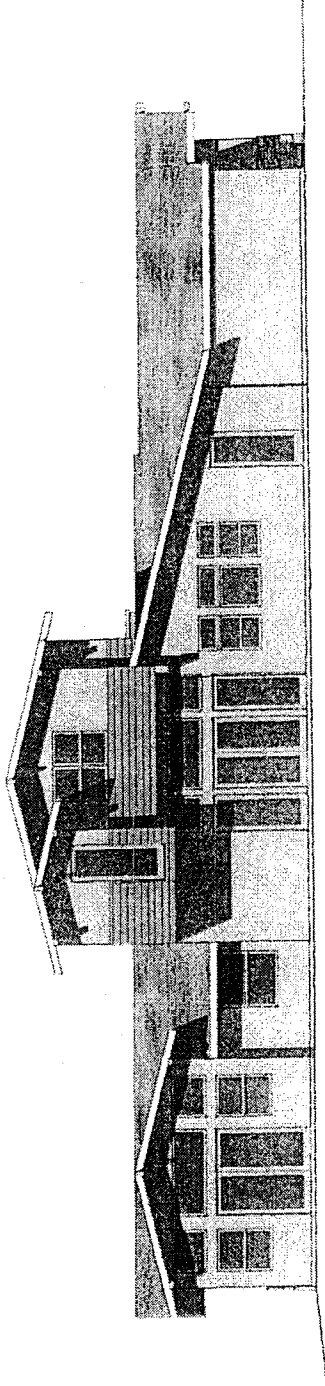
PROJECT

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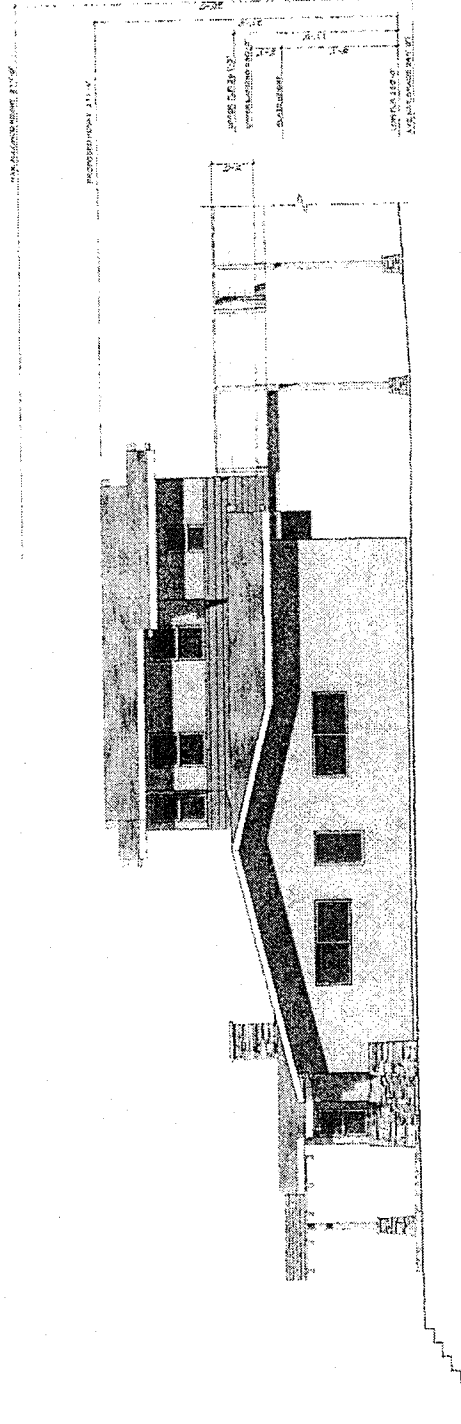
EXHIBIT

Vicinity Map





EAST ELEVATION  
BACK SCALE 1/4"



SOUTH ELEVATION  
RIGHT SIDE SCALE 1/4"

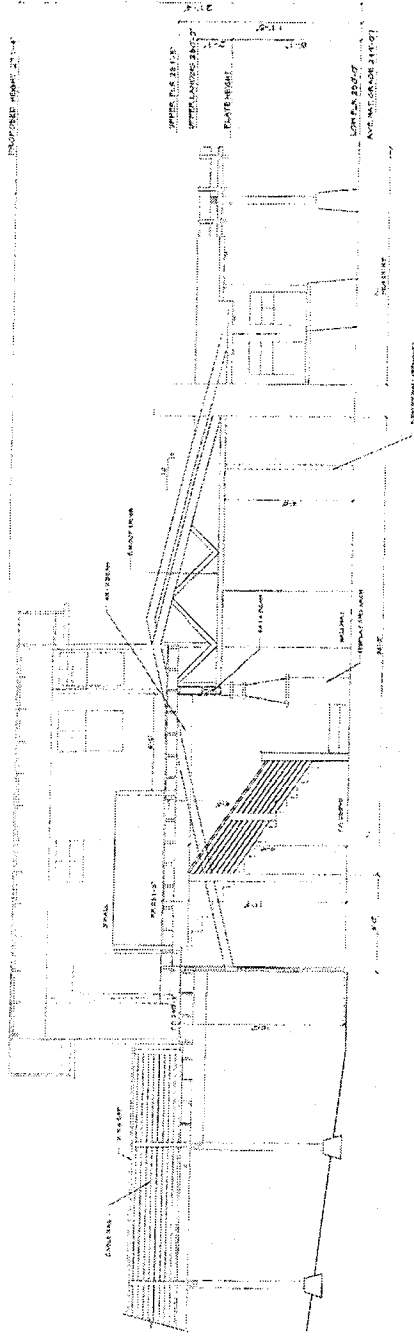
PROJECT

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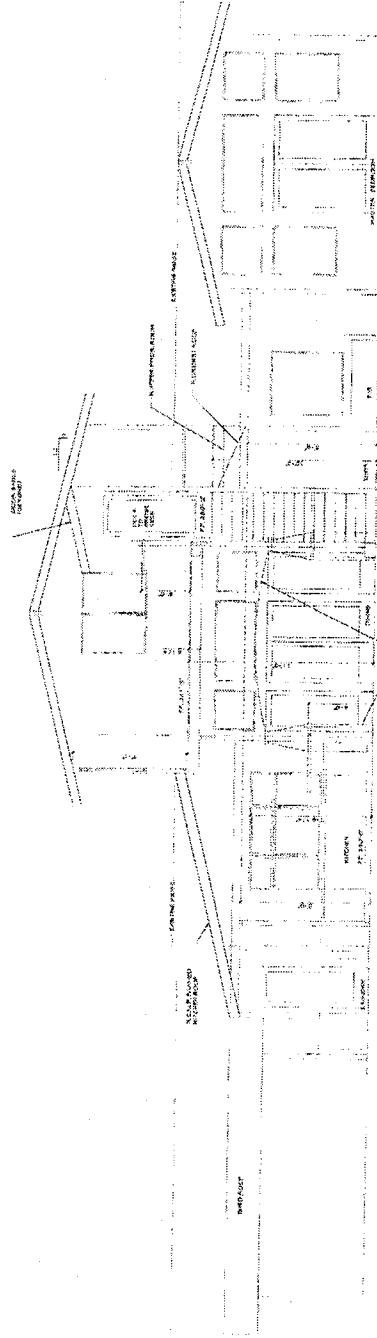
EXHIBIT

Elevation





SECTION B-B  
N.E. 1/4



SECTION A-A  
S.E. 1/4

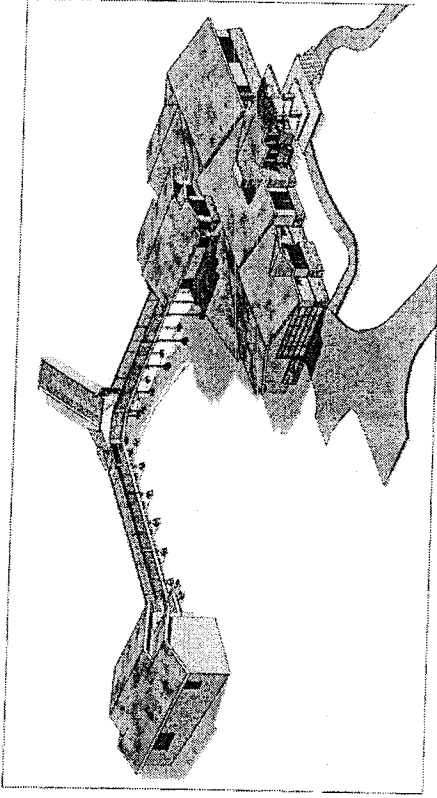
PROJECT

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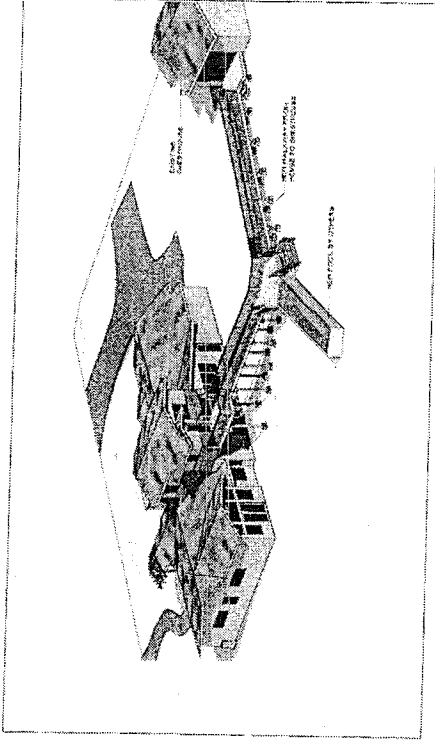
EXHIBIT

Elevation

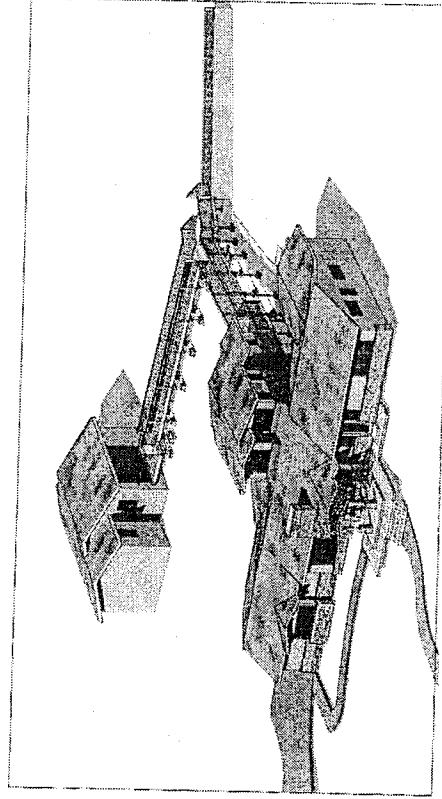




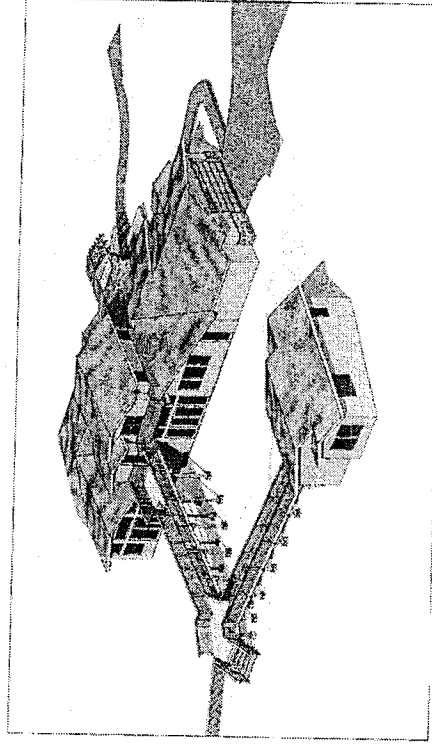
NORTHWEST ISOMETRIC VIEW



SOUTHEAST ISOMETRIC VIEW



SOUTHWEST ISOMETRIC VIEW



NORTHEAST ISOMETRIC VIEW

PROJECT

Minor Use Permit  
Unger DRC2004-00248



EXHIBIT

Isometric Views